

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>  <div style="text-align: center;"><b>Plaintiff,</b></div>  <div style="text-align: center;"><b>vs.</b></div>  <b>DIONISIO T. BROWDER,</b>  <div style="text-align: center;"><b>Defendant.</b></div>	) ) ) ) ) ) ) ) ) )	<b>8:06CR5</b>           <b>ORDER</b>
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This matter is before the court on the motion of Jeffrey L. Thomas to withdraw as counsel for the defendant, Dionisio T. Browder (Browder) (Filing No. 24). Mr. Thomas represents he has a conflict of interest in this matter. The court held a hearing on the motion on July 27, 2006. Mr. Thomas's motion to withdraw (Filing No. 24) is granted. Julie A. Frank, 1823 Harney Street, #201, Omaha, NE 68102 (402) 346-0874, is appointed to represent Browder for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Thomas shall forthwith provide Ms. Frank with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Thomas which are material to Browder's defense.

The clerk shall provide a copy of this order to Ms. Frank, and Ms. Frank shall enter her appearance in this matter forthwith.

In order to provide new counsel adequate time to prepare for trial, trial of this matter is rescheduled before Chief Judge Joseph F. Bataillon and a jury commencing at 9:00 a.m. on September 11, 2006. During the hearing on July 27, 2006, Browder requested such additional time and acknowledges the time provided would be excluded from the computations under the Speedy Trial Act. The additional **time** arising as a result of the granting of the request, i.e., the time between **July 27, 2006 and September 11, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**IT IS SO ORDERED.**

DATED this 27th day of July, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge